

AMENDED IN ASSEMBLY MAY 28, 1999  
AMENDED IN ASSEMBLY APRIL 28, 1999  
AMENDED IN ASSEMBLY APRIL 15, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1087**

**Introduced by Assembly Member Calderon**

February 25, 1999

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An act to amend Section 42238.15 of, and to add Article 5.5 (commencing with Section 41390) to Chapter 3 of Part 24 of, the Education Code, relating to teachers, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1087, as amended, Calderon. Teachers: salaries.

Existing law requires the Superintendent of Public Instruction to make certain apportionments and disbursements for the support of the public school system.

This bill would, in addition, require the Superintendent of Public Instruction to apportion and disburse a teacher salary development allowance pursuant to a prescribed formula to each applicant school district and county office of education that certifies that each of its teachers who meet certain criteria has an annual salary that is equal to or exceeds a prescribed minimum for the fiscal year beginning with \$37,000 for the 1999–2000 fiscal year, and ending with \$40,000 for the 2000–03 fiscal year. The bill would require the

Superintendent of Public Instruction to adjust these amounts annually.

~~This bill would appropriate to the Superintendent of Public Instruction for this purpose \$150,000,000 in the 1999-2000 fiscal year, \$275,000,000 in the 2000-01 fiscal year, \$300,000,000 in the 2001-02 fiscal year, and \$375,000,000 in the 2002-03 fiscal year—provide that its provisions would be implemented only if funds for that purpose are appropriated.~~

Vote: majority. Appropriation: ~~yes~~—no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Article 5.5 (commencing with Section 41390) is added to Chapter 3 of Part 24 of the Education Code, to read:

Article 5.5. Teacher Salary Development  
Apportionments

41390. (a) In addition to any other funds authorized for apportionment to school districts and county offices of education, the Superintendent of Public Instruction shall apportion and disburse, from funds appropriated ~~pursuant to subdivision (d)~~ *for purposes of this article*, a teacher salary development allowance at an amount set forth in subdivision (c) to each school district and county office of education that meets the conditions set forth in subdivision (b).

(b) (1) In order to be eligible for receipt of the allowance pursuant to this article for teacher salaries in any given fiscal year, a school district or county office of education, shall apply for the allowance by certifying to the Superintendent of Public Instruction that each of its teachers who meets the criteria in paragraph (2) has an annual salary that meets or exceeds the following salary for each of the following fiscal years:

(A) Thirty-seven thousand dollars (\$37,000) for the 1999-2000 fiscal year.

(B) Thirty-eight thousand dollars (\$38,000) for the 2000–01 fiscal year.

(C) Thirty-nine thousand dollars (\$39,000) for the 2001–02 fiscal year.

(D) Forty thousand dollars (\$40,000) for the 2002–03 fiscal year.

(2) A school district shall certify the salary for its teachers who meet all of the following criteria:

(A) Hold a valid California teacher credential that is not an emergency permit or intern permit, or for whom the district has not requested a credential waiver.

(B) Possess a baccalaureate or higher degree.

(C) Receive a salary paid from the district’s general fund.

(c) For each fiscal year for which funds are appropriated for the purposes of this article, the Superintendent of Public Instruction shall divide the appropriation by the total second principal average daily attendance of the participating school districts or county offices of education for that year, and shall apportion to each eligible applicant its pro rata share of the total funds appropriated, based upon the applicant’s average daily attendance.

~~(d) The following sums are hereby appropriated from the General Fund in the following fiscal years to the Superintendent of Public Instruction for the purposes of this article:~~

~~(1) One hundred fifty million dollars (\$150,000,000) in the 1999–2000 fiscal year.~~

~~(2) Two hundred seventy-five million dollars (\$275,000,000) in the 2000–01 fiscal year.~~

~~(3) Three hundred million dollars (\$300,000,000) in the 2001–02 fiscal year.~~

~~(4) Three hundred seventy-five million dollars (\$375,000,000) in the 2002–03 fiscal year.~~

~~(e)~~

(d) Funds appropriated but not allocated to school districts or county offices of education due to lack of eligibility in any given fiscal year shall revert to the

1 General Fund not later than July 30, of the subsequent  
2 fiscal year.

3 *41391. This article shall be implemented only if funds*  
4 *are appropriated for purposes of this article.*

5 SEC. 2. Section 42238.15 of the Education Code is  
6 amended to read:

7 42238.15. (a) Notwithstanding any other provision of  
8 law, and in lieu of any inflation or cost-of-living  
9 adjustment otherwise authorized for any of the programs  
10 enumerated in subdivision (b), state funding for the  
11 programs enumerated in subdivision (b) shall be  
12 increased annually by the product of the following:

13 (1) The sum of 1.0 plus the percentage change  
14 determined under subdivision (b) of Section 42238.1.

15 (2) The sum of 1.0 plus the percentage of increase,  
16 from the prior fiscal year to the current fiscal year, in each  
17 of the workload factors described in subdivision (b).

18 (b) The programs for which annual state funding  
19 increases are determined under this section, and the  
20 factors used to measure workload for each of those  
21 programs, are as follows:

22 (1) Special education programs and services, as  
23 measured by the regular second principal apportionment  
24 average daily attendance for kindergarten and grades 1  
25 to 12, inclusive.

26 (2) Child care and development programs, and  
27 preschool programs, as measured by the state population  
28 of children up to and including four years of age.

29 (3) Instructional materials for kindergarten and  
30 grades 1 to 8, inclusive, as measured by enrollment in  
31 kindergarten and grades 1 to 8, inclusive.

32 (4) Instructional materials for grades 9 to 12, inclusive,  
33 as measured by enrollment in those grades.

34 (5) Regional occupational programs and centers, as  
35 measured by enrollment in grades 11 and 12.

36 (6) School improvement programs in kindergarten  
37 and grades 1 to 6, inclusive, as measured by enrollment in  
38 kindergarten and grades 1 to 6, inclusive.

39 (7) School improvement programs in grades 7 to 12,  
40 inclusive, as measured by enrollment in those grades.

1 (8) Economic impact aid, as measured by the number  
2 of children of ages 5 to 17 years, inclusive, from families  
3 that receive Aid to Families with Dependent Children  
4 and the number of pupils of limited English proficiency,  
5 as identified pursuant to Section 52163.

6 (9) Staff development programs, as measured by  
7 enrollment in kindergarten and grades 1 to 12, inclusive.

8 (10) Gifted and talented education programs, as  
9 measured by enrollment in kindergarten and grades 1 to  
10 12, inclusive.

11 (11) Incentive funding set forth in subdivision (d) of  
12 Section 41390.

